

DISTRICT ADVISORY BOARD MINUTES

DISTRICT I

December 1, 2003

7:00 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Rickie Coleman*
Gerald Domitrovic
Treatha Brown-Foster
Lois Tully-Gerber
Lori Lawrence
Debra K. Miller
Debby Moore
Sharon Myers*
Steve Roberts*
James Thompson
Ken Woodard

Members Absent

Ti'Juana Hardwell*
Council Member Brewer
Lacey Ganther*
Celina Porter Robinson

Guest List

Carl Ligon, 1736 NE Parkway
Terry Symthe, Baughman Company
Joan Vogel, Cimaron, KS
Suzanne Kerr, 3308 Country Club
Gerald Kerr, 3308 Country Club
Lauren Kerr, 3308 Country Club
Monica Sedens, 1230 West 28th
Theola Cooper, 1618 New York
Saretta Jones, 2621 N. Carmen

Staff Present

Virdena Gilkey, Neighborhood Assistant
John Schlegel, Director for the Wichita-Sedgwick County Metropolitan Area Planning Department
Dale Miller, MAPD
David McGuire, Park Department
Officer C. Seang, WPD

*Denotes District Advisory Board Alternates

ORDER OF BUSINESS

Call to Order

2nd Pro-tem Debbie Moore called the meeting to order at 7:03 p.m. and welcomed the guest.

Approval of Minutes

The following corrections were recommended: **Treatha Brown Foster and Sharon Myers** was not present at the last meeting. **Brown Foster (Lawrence)** motion to approve DAB I minutes as amended. Motion carried (7-0).

Approval of Agenda

Carl Ligon, Ken Mar Neighborhood Association, requested to be placed on the agenda. **Brown Foster (Lawrence)** made a motion to approve the agenda as amended. Motion carried unanimously. (7-0).

Public Agenda

1. Celebrate Safely

Monica Sadens, Historic Midtown, thanked the board for allowing her to speak. She explained that the firing of guns at New Years is a dangerous habit that affects people all around. Studies show that the bullets of a 22-caliber gun travels one mile. Historic Midtown has documented occurrences for nine years and is working with the City and the County on this issue. The City has issued a proclamation and they have advertised via television, newsletters, children's coloring book, police, etc. to educate the community on the dangers of random gunfire. They are partnering with all of the police substations for the distribution of information prior to New Year's.

Lois Tully-Gerber congratulated Celebrate Safely for the work they have done. She added that the Fireworks Taskforce used their model as an example and may adopt some of their ideas.

Recommended Action: The board received and filed.

2. **Carl Ligon, 1736 NE Parkway**, commented that in August of 2003, the City Council along with the DAB agreed on the new law for tethering and dangerous breed dogs. As recent as the past three months, his neighborhood has been troubled with dogs that are kept in a tenant's house. These dogs run out of the front door and have attacked a mail carrier. This has been reported to WPD and Animal Control. These dogs have been tranquilized, taken out of the home, and the owner's cited, but they are returned to the owner's by the end of the day. As a result, the US Postal Service, Munger Station, has issued a letter, which stated the mail would be discontinued due to dog attacks.

He added that there is no "teeth in the law" to deal with the after affect of dangerous breed dogs after they attack. Reoccurrences is not addressed.

(Carl Ligon's response in italics)

Ken Woodard asked about the number of dogs in the house and if they have a kennel? *There are two adult dogs and nine puppies. No, they do not have a kennel license.* **Treatha Brown Foster** asked if he had contacted Councilman Brewer, Chief Williams, or Animal Control? *I went through the channels and was told by Animal Control and WPD that they have done all they can do. I spoke with Officer McElrath today and was told that he will check into this.* **Lois Tully-Gerber** commented that she felt like the law did not have much teeth. The US Postal Service had this policy in place before anti-tethering law. Hopefully these types of incidents will make the law more enforceable. She asked Officer Seang to address this issue. **Officer Seang** added that Officer McElrath could call the Health Department and check on their kennel licensing.

A few more comments were made. **Debbie Miller** requested a follow-up from staff on this issue.

Recommended Action: The board received and filed.

James Thompson arrived at 7:25 p.m.

Staff Reports

2. Police Report

Officer Seang reported the following: 1) at 16th and Piatt, they are working with the owner to bring the property into compliance; 2) they are working with the Boys and Girls Club on a project; 3) at 1030 North Estelle, cocaine was recovered. A knock and talk was done in that neighborhood; 4) at 1744 North Minneapolis, drugs were recovered; 5) Officer's Wallace and Ryan are working with the Fairmount Neighborhood Association on dog complaints; and 6) they are busy with the Christmas Crusade and Thanksgiving Dinner delivery.

(Officer's Seang response in italics)

Brown Foster asked what are they doing at the 16th and Piatt Apartment building and how long has the landlord owned the property? *We are working with the owner's to bring the property up to code. The previous owner has passed the property on to Mr. Grayson due to illness.*

Recommended Action: The board received and filed.

3. Introduction of the New Planning Director

John Schlegel, Director for the Wichita-Sedgwick County Metropolitan Area Planning Department, provided information on his professional and personal background. He has been with the City of Wichita since July 2003 and came from Las Vegas, where he had worked for 13 years as the former Planning Director. He is a native of Pennsylvania. He currently resides in East Wichita and has two grown children who live out of state. Mr. Schlegel asked for suggestions and stated that 21st Street to Twin Lakes Shopping Center is one of the department's recent projects.

(John Schlegel's response in italics)

Tully-Gerber commented that it is really helpful to have presentations from the Planning staff. The question and answers, with citizens, prior to the DAB meetings is a good thing and shows respect for the citizens who attend. **Brown Foster** asked when would the building be started on 21st Street between Commerce Bank and the retirement center and is the private sector apart of the economic development? *I don't know when the 21st development will begin. The private sector is not a part of the economic development, but you can address that with Allen Bell's department.*

Recommended Action: The board received and filed.

4. Introduction of New Health Inspectors

Kristie Yeager and Charles Anderson, Health Department, will provide information on their boundaries and services.

This item was deferred until later in the meeting due the absence of the entire staff (they were presenting at DAB 2 as well).

Recommended Action: Receive and file.

Planning Agenda

5. CON2003-44

The applicants, Gerald and Suzanne Kerr, explained that they are requesting a Conditional Use to operate a three-room bed and breakfast inn out of their current residence. All of the neighbors, within a 200-foot radius, were contacted and informed of the plans. No residents spoke in opposition of the request.

The Kerr's stated that they are members of the Professional Inn Keepers International and had invited, Joan Vogel, a representative from the Kansas Bed and Breakfast Association and a regulator for the state of Kansas, to answer questions from the board. The board had no questions for Ms. Vogel.

The board was concerned with the following: the housing space, parking access, number of tenants allowed, the Wichita Children's Home feelings on the bed and breakfast, if the Kerr's will live on the premises, the screening requirements, and the security measures that will be used.

The Kerr's responded that they will have two rooms and a suite, three bathrooms and the house is one and a half stories high. There will be a maximum of six tenants and each reservation will be screened with questions provided by the BBI Association to ensure reputable clientele. They reserve the right to deny any potential client, if they are not comfortable with the answers. Also, the pricing will discourage last minute stays, thus eliminating potential problem tenants. The inn will be entered via a key card system on the doors and the facility will have security lights completely around the house. By law, the Kerr's have to remain on the premises and had planned to do so. The parking will be in the rear of the home with vegetation across the back. They continued by stating that the Wichita Children's Home was contacted, but no one responded.

The board asked Dale Miller, MAPD, what the recommendation for approval was based on and how would this inn be monitored.

He responded that they look at the neighborhood, possible detrimental impact, adjacent neighborhoods, and if the request is consistent with the adopted plans. Once those questions and a few more have been answered, a recommendation is made either for or against the request. As far as monitoring the facility, OCI would enforce the standards by on-sight inspections. This would only occur if someone were to call in a complaint.

Tully-Gerber (Woodard) moved to recommend approval of the request. Motion passed 8-0.

Recommended Action: The board approved the request.

6. ZON2003-00057

Dale Miller, MAPD, presented this request to change zoning from "SF-5" Single Family Residential to "TF-3," Two-Family Residential at a location north of 21st Street North and east of Pinecrest Street. Proposed use is duplex residential.

Dale Miller, MAPD, explained that this site is currently undeveloped and the only access point is from Beacon Hill. Another access point could be developed on the west side of Pinecrest in the future. There were only three neighbors that addressed concerned about the single point of access.

The board was concerned with the following: the number of units, traffic congestion during construction with only one access point, the anticipated square footage of the duplexes, whether there will be handicap accessible units, the construction timeline, and the price per unit.

Terry Smythe, Baughman Company, responded that there would be a total of 56 units or 28 duplexes. National studies show that single-family homes generate more traffic than duplexes due to the increase in family size. While it has not been decided what the market price will be, the units would be approximately 1100 to 1300 square feet per unit (this is not definite). Handicapped facilities are also undecided, however, the initial plans included an elderly target market, which is not concrete at this time. There is no construction timeline, but the intent is to plat the land within one year and a minimum of nine months before work begins.

A brief discussion occurred. The Board then moved to recommend approval of the request. Motion passed 8-0.

Recommended Action: The board recommended approval.

Unfinished Business

No items submitted

New Business

No items submitted

7. Introduction of New Health Inspectors

Kristie Yeager and Charles Anderson, Health Department, was introduced to the board by their supervisor Mark Bradshaw. Mr. Bradshaw stated that it was the first time in six years that he had a full staff and showed the map of their boundaries.

He further explained that Charles Anderson is over Area 3 and Kristie Yeager is in a CDBG area, which is Area H. Kristie's responsibilities are more concentrated with not as many miles to cover. Charles is divided between District 1 and District 6.

Mr. Bradshaw then explained the role of Environmental Maintenance, which includes: nuisance abatement, trash related issues, bulky waste, salvage issues, inoperable and/or abandoned vehicles (include current license tags), mosquitoes, tall grass and weeds, and towing. He also explained their role in nuisance abatement compliance, which deals with how they clean up property. By law, if the property is enclosed, they cannot go in and clean up the property. They have to go to court and have the judge order the cleanup. If occupied, the cost is charged to the owner of the property. The owner receives a certified letter and the notice is published in the Daily Reporter for ten days.

(Mark Bradshaw's response in italics)

Moore asked if they lift covers to see if the tags are in place on vehicles? *If it is not behind a fence, yes, we will look under the cover. If the vehicle is behind the fence, it is illegal for us to do so.* Moore continued by asking about car collectors in outlying communities and how that is dealt with? *We have no jurisdiction outside of the city. In the county, people can have many junk cars. People can store as many cars as they want to on the side and back yard.*

Brown Foster asked how long can trash containers be kept on the curb? *The night before the pickup or the day of. No code for placement.* **Tully-Gerber** asked how can you know what happens on issues such as salvage, because neighborhoods are becoming frustrated with the lack of notification? *We will not divulge, under any circumstances, who reports incidents. In some cases, we have to have the complainant to be a witness. 90% of our complaints are anonymous. If someone wants a response, they must leave their name and phone number in order for us to contact them.* **Thompson** stated that Area H is his area and we turn in a lot of issues every month and nothing is changing or at least not heard about. City government asks for partnerships and nothing seems to be followed up on. *We are, by law, required to send out notifications, which cost approximately \$8.00 per mailing. Sometimes things get held up in court or the owner lives elsewhere. Get with the inspector on where they are on projects and you should receive answers.*

A few more questions were asked and responded to. The board received and filed.

Recommended Action: The board received and filed.

Board Agenda

8. Updates, Issues, and Reports

- 1) **Virdena Gilkey, NA**, announced the Atwater Holiday Dinner, Monday, December 22nd, 11:30 a.m. – 2:00 p.m. She also asked the DAB members if they would assist with bringing desserts and side dishes.

Mrs. Gilkey also reported that Ms. Tijuana Hardwell e-mailed her resignation from the board due to schedule conflicts with school and community activities.

- 2) **Treatha Brown Foster** announced that she, James Thompson, and his wife, Pat Thompson, are now certified for Emergency Response Team for the Homeland Security. On December 7th, they will receive a certificate at the Sedgwick County Commission meeting.
- 3) **Debbie Moore** stated that at the last DAB meeting, she had several questions and issues that needed to be addressed. She received an immediate response and thanked Virdena Gilkey, staff, for her assistance.
- 4) **Lois Tully-Gerber** reported that she had just returned from Germany and took the City of Wichita pins with her, which was a big hit.
- 5) **Steve Roberts** reported that the new owners of the old Food-4-Less is doing a good job of keeping old cars off of the parking lot.

Recommended Action: The board received and filed.

General Comments/Announcements

- District I Coalition Meeting will be January 3, 2004, Cisro's Restaurant.
- Next meeting of DAB I will be January 5, 2004.

Being no further business, **Thompson (Lawrence)** made a motion to adjourn. Motion carried 8-0.

The meeting adjourned at 9:12 p.m.

Respectfully Submitted By,

Virdena Gilkey
Neighborhood Assistant